

me in recognizing the outstanding contributions of Carl D. Bocchicchio to his profession and to this great nation.

INTRODUCTION OF H.R. —, THE
“FAIR PAYMENT OF COURT FEES
ACT OF 2010”

HON. HENRY C. “HANK” JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to introduce H.R. —, the Fair Payment of Court Fees Act of 2010. This legislation is vital to preserve democracy and fair access to the courts.

It has come to my attention that provisions in the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure, while well intentioned to discourage abuses to the appeal process and encourage settlement, have been shown in practice to unfairly and indiscriminately punish parties for declining an offer for settlement made before trial or seeking appellate review.

That policy quite simply goes too far, creating perverse results, and inevitably will prevent litigants from pursuing legitimate cases or appeals for fear of excessive penalties.

Recently, there was a national outcry when a Federal court ordered the family of a fallen soldier, Marine Lance Cpl. Matthew Synder of Westminster, Maryland, to pay \$16,000 to the people who picketed the funeral of this hero who died in service to his country in Iraq.

You heard me correctly, the dead soldier's family was ordered to pay thousands of dollars to the people who picketed their son's funeral and who shouted “You're going to Hell” and “Thank God for dead soldiers.”

This is not adding insult to injury; this is outrageous and cannot be allowed to stand.

The family of Matthew Synder's supposed “fault” was to defend the decision of the lower court when the picketers appealed.

Preposterous and outrageous. As Chairman of the Judiciary Committee Subcommittee on Courts and Competition policy, I cannot wait for the multi-year process of the Rules Enabling Act to correct this injustice. This problem must be corrected now.

The rules, as they stand, are a blanket policy to discourage pursuit of justice through the appeals process. That policy quite simply goes too far, creating perverse results, and inevitably will prevent litigants from pursuing legitimate appeals or encourage the parties to settle when they want a court to hear the case for fear of excessive penalties.

The bill I have introduced today will stop this travesty and open the court house doors to parties who are acting in the interest of justice.

Specifically, the “Fair Payment of Court Fees Act of 2010” would amend two procedural rules to ensure access to the Federal courts. My bill would amend Rule 39 of the Federal Rules of Appellate Procedure and Rule 68 of the Federal Rules of Civil Procedure, to give a court discretion to evaluate whether the payment should be waived in the interest of justice including instances where constitutional or other important precedent are at issue.

Strict application of the Rules has been detrimental to the public interest. So we would

allow our Judges to use their discretion to determine when these fees should be waived. Our courthouse doors must remain open to pursue legitimate claims.

I hope that my colleagues will support this legislation.

IN HONOR OF HARRIET BEEKMAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Harriet Beekman, a dedicated advocate on behalf of veterans and the founder of We Do Care.

In 1968, Ms. Beekman received a letter from U.S. Marine Pfc. Steve Sarossy who had expressed his concern that “no one seemed to care” about service personnel overseas. Ms. Beekman was so disturbed by the sentiment that she wrote back in bold letters: STEVE, WE DO CARE. Tragically, Pfc. Sarossy was killed in the Quang Tri Republic of Vietnam later that year, but his words were not forgotten. Harriet Beekman took it upon herself to set up We Do Care, a support organization for our troops worldwide. Since the Vietnam conflict, We Do Care has sent more than 60,000 letters and 21,000 packages to service personnel. For more than four decades Ms. Beekman has led the charge in collecting, organizing and shipping several hundred tons of donated items to service personnel all over the world. We Do Care has sent goods to service members in places such as Vietnam, Bosnia-Herzegovina, Haiti, Somalia, Afghanistan and Iraq.

We Do Care has brought communities together in support of the men and women who risk their lives everyday. People of all ages and backgrounds gather together at dances, talent shows, community collection drives, recycling projects, rummage sales and dinners in order to raise funds and collect item donations to send our troops. In response to her efforts, Ms. Beekman has received more than 5,000 letters of appreciation from service personnel around the world.

Madam Speaker and colleagues, please join me in honoring Harriet Beekman, often referred to as the “Florence Nightingale of Fairview Park.” She continues to show our troops that, indeed, we do care. Even as she approaches her ninetieth birthday this July, Ms. Beekman continues to show the indomitable spirit of youth in continuing her work. Her volunteer spirit and dedication to those who serve our country uplifts and inspires resolve to live a more peaceful life.

HONORING RUTH ARDEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. KAPTUR. Madam Speaker, I rise today in remembrance of Ruth Arden, a Toledoan, a pioneer, and tireless advocate for our most vulnerable people. Ruth passed away unexpectedly in December and her passing was noted by the well known and the unknown.

Today those she served with and among gather to honor her efforts, pay special tribute, and remember a very fine lady.

Ruth Arden was the executive director of St. Paul's Community Center for many years. St. Paul's serves people who are homeless and mentally ill, and under Ruth's extraordinary vision and leadership the shelter served hundreds of people with respect. She and her team gave people dignity and the tools to navigate a difficult life. Ruth was an advocate for people who are homeless and mentally ill, and challenged leaders at the local, State and National levels to see their need. Jesus Christ reminded all that “whatever you do to the least among you, that you do unto me.” Few people follow His words as did Ruth, and her work inspired all around her.

Ruth Arden was an ardent advocate for the poor and downtrodden, but she was also an advocate of the arts. She enjoyed music—especially jazz—and supported local artists. Her support, advice and wise counsel were most appreciated, and in her quiet way Ruth moved mountains. Her life leaves an imprimatur on our community which stands well past her leave-taking, and her voice still echoes among those with whom she worked. She had an unforgettable spirit of caring and drive that we are guided by her spirit to carry forth.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MILLER of Florida. Madam Speaker, I missed roll call Vote Nos. 204–211 on April 15, 2010. Had I been present, I would have voted:

Roll Call Vote No. 204, Providing for consideration of the bill H.R. 4715, “nay.”

Roll Call Vote No. 205, Recognizing the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest, “aye.”

Roll Call Vote No. 206, On Motion to Refer the Resolution, “aye.”

Roll Call Vote No. 207, On Agreeing to the Amendment to H.R. 4715, “nay.”

Roll Call Vote No. 208, On Motion to Recommit H.R. 4715 with Instructions, “aye.”

Roll Call Vote No. 209, Final passage of H.R. 4715, the Clean Estuaries Act of 2010, “nay.”

Roll Call Vote No. 210, Congratulating the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship, “aye.”

Roll Call Vote No. 211, On Motion to Concur in the Senate Amendment to H.R. 4851, “nay.”

A TRIBUTE TO JIM SEELEY IN
RECOGNITION OF HIS RETIREMENT
AFTER 34 YEARS OF
SERVICE TO THE CITY OF LOS
ANGELES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. ROYBAL-ALLARD. Madam Speaker, on behalf of those of us who represent the great